



# CITY OF LODI

## COUNCIL COMMUNICATION

**AGENDA TITLE:** Denial of Verified Claim(s) Against the City of Lodi

**MEETING DATE:** July 7, 1999

**SUBMITTED BY:** Human Resources Director

**RECOMMENDED ACTION:** To approve by motion action, denial of the following verified claim(s) filed against the City of Lodi:

- A) Plummer Pontiac
- B) Justin Thompson

Date of Loss

4/28/99  
12/3/98

**BACKGROUND INFORMATION:** Following review of the verified claims filed against the City of Lodi, the Risk Manager and/or the City's Contract Administrator, Insurance Consulting Associates, Inc. (ICA), recommend that the City deny the subject claims.

**FUNDING:** None required.

Respectfully submitted,

Joanne M. Narloch, Human Resources Director

cc: City Attorney

**APPROVED:**

  
H. Dixon Flynn -- City Manager

CITY COUNCIL

KEITH LAND, Mayor  
STEPHEN J. MANN, Mayor Pro  
Tempore  
PHILLIP A. PENNINO  
ALAN NAKANISHI  
SUSAN HITCHCOCK

# CITY OF LODI

CITY HALL  
221 WEST PINE STREET, P.O. BOX 3006  
LODI, CALIFORNIA 95241-1910  
HUMAN RESOURCES: (209) 333-6704  
FAX (209) 333-6816

H. DIXON FLYNN  
City Manager  
ALICE M. REIMCHE  
City Clerk  
RANDALL A. HAYS  
City Attorney

## Notice of Claim Rejection

July 7, 1999

Jason Curl  
c/o Plummer Pontiac  
1011 South Cherokee  
Lodi, CA 95240

RE: Claim against the City of Lodi  
Claimant: Plummer Pontiac  
Date of Loss: 4/28/99  
Claim Number: 502

Dear Claimant:

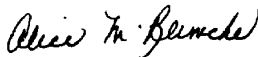
Notice is hereby given that the claim you presented to the City of Lodi on May 21, 1999, is rejected as of the date of this letter.

### Warning

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

Please also be advised that, pursuant to §128.5 and §1038 of the California Code of Civil Procedure, the City will seek to recover all costs of defense in the event an action is filed in this matter and it is determined that the action was not brought in good faith and with reasonable cause.

Sincerely,

  
Alice M. Reimche  
City Clerk

cc: City Attorney  
Risk Manager  
Bill Benson, ICA

CITY COUNCIL

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## Notice of Claim Rejection

July 7, 1999

David Allen & Associates  
Attn: Melvin L Ochsner  
7400 Shoreline Drive, Suite 6  
Stockton, CA 95219

RE: Claim against the City of Lodi  
Claimant: Justin K. Thompson  
Date of Loss: 12/3/98  
Claim Number: 513

Dear Claimant:

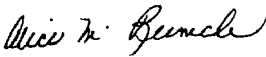
Notice is hereby given that the claim you presented to the City of Lodi on June 3, 1999, is rejected as of the date of this letter.

### Warning

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City Clerk

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